

Date of Decision: 8th September 1995

SPECIAL CIVIL APPLICATION NO. 1135 of 1992

FOR APPROVAL AND SIGNATURE

THE HONOURABLE MR. JUSTICE A.N. DIVECHA

1. Whether Reporters of Local Papers may be allowed to see the judgment? No
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of judgment? No
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder? No
5. Whether it is to be circulated to the Civil Judge? No

Shri Bhargav N. Bhatt, Advocate, for the Petitioners
Shri K.B. Poojara, Advocate, for Respondent No. 1
Shri K.C. Shah, Asst. Govt. Pleader, for Respondents Nos. 2
and 3

CORAM: A.N. DIVECHA, J.
(Date: 8th September 1995)

ORAL JUDGMENT

The disposal of shops of the Nagar Panchayat by public auction is under challenge in this petition under Art. 226 of the Constitution of India. Initially this court granted ad-interim relief but later on, by the order passed by this court on 3rd August 1994, this court vacated such interim relief. There thus remained no stay against disposal of the shops in question. I am told at the Bar that the shops in question have come to be disposed of. In that view of the matter, this petition has become infructuous by passage of time.

It deserves to be disposed of accordingly.

2. In the result, this petition fails on account of its having become infructuous by passage of time. It is therefore rejected. Rule is accordingly discharged with no order as to costs.
